

South Dakota Stockgrowers Association
426 St. Joseph
Rapid City, SD 57701
605-342-0429
www.southdakotastockgrowers.org

U.S. DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Regulatory Analysis and Development
PPD, APHIS
Station 3C71, 4700 River Road
Unit 118
Riverdale, MD 20737-1238
Submitted via e-mail

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The South Dakota Stockgrowers Association appreciates the opportunity to comment on the development of a privatized animal movement NAIS.

Background:

The South Dakota Stockgrowers Association consists of over 1600 members, primarily cow-calf producers operating family ranches.

An affiliate of R-CALF USA, we are the largest and fastest growing cattle organization in the state of South Dakota, with members across the state as well as out of state.

We are committed to representing the needs of individual cattle producers in regard to animal health, trade, marketing, property rights and environmental issues. Our members rely on a healthy and viable U.S. cattle industry to sustain their independently owned and operated businesses - family ranches.

Directors of the South Dakota Stockgrowers Association Kenny Fox and Bill Kluck have recently testified before the House Ag Committee subcommittee on Animal ID, traveled to meetings nationwide dealing with animal identification, and most recently Mr. Kluck testified on October 12, 2005 in Kansas City.

Comments:

USDA's four guiding principles for the NAIS are as follows:
(Below each point you will find comments by the South Dakota Stockgrowers Association.)

- **The system must be able to allow tracking of animals from point of origin to processing within 48 hours without unnecessary burden to producers and other stakeholders.**

We agree. Existing systems including brand inspection can provide 48 hour traceback with far less burden to the producer than proposed RFID tags.

- **The system's architecture must be developed without unduly increasing the size and role of government.**

We agree. Existing systems such as brand inspection are already operating efficiently. Very little, if any, additional funding would be needed to continue the existing systems.

- **The system must be flexible enough to utilize existing technologies and incorporate new identification technologies as they are developed.**

We agree wholeheartedly. Any new technology must be capable of communicating with existing systems, so the current and new system can work together.

- **Animal movement data should be maintained in a private system that can be readily accessed when necessary by state and federal animal health authorities.**

We strongly disagree with privatization of a national animal identification program on the national level. One of the few industry groups who have supported the implementation of a national identification program is the group courting USDA for the authority to maintain a national system. Many industry organizations, including the South Dakota Stockgrowers Association do not believe in a one-size-fits all approach with all of the data housed in a central location. It would be far more successful, efficient and cost effective to allow current systems to work independently and to communicate with one another. It would be a disservice to the U.S. cattle industry to turn the program over to NCBA just because they are among a minority of organizations supporting a mandated animal id system.

Instead of national privatization, we suggest that USDA encourage all current identification programs to continue working just as they are, and facilitate communication between each management entity. This will not only provide a major cost savings to taxpayers and producers, but will allow producer groups and state animal health departments to tailor their programs to fit their local producers, as they have done for decades.

Additional South Dakota Stockgrowers Association Comments:

Animal identification should be voluntary

Members of the South Dakota Stockgrowers Association are concerned by the USDA's desire to implement a national identification program without support from producers and without proof that such a program is necessary or even possible.

The South Dakota Stockgrowers Association does not believe it is in the best interests of the industry to mandate an identification program. If USDA mandates a particular identification program, it is not only an unfunded mandate, but also un-legislated, with the requirement being created by a beauracracy, not by lawmakers.

While the South Dakota Stockgrowers Association supports the concept of animal identification, we strongly believe it should remain voluntary.

Existing animal identification systems should be utilized

Identification options exist across the country including the hot brand, tattoos, back tags and brucellosis tags. These systems are proven to work, are cost effective and are already in operation. We strongly encourage the continued use of these systems and the implementation of new systems only in regions lacking a viable identification program.

South Dakota's brand inspection program has a proven history of animal tracking through the use of the hot iron brand. Producers in South Dakota find brand inspection to be a necessary tool in carrying out business, and through legislation, South Dakota producers have achieved a uniform standard for ownership verification across the brand area. While applying brands to livestock is not required, the brand inspection procedure is mandatory. This allows producers to maintain freedom of choice in whether or not to brand their cattle, and still provides accurate and accessible records of livestock movement.

Contrary to what you may have heard, brand inspection is not outdated. South Dakota Chief Brand Inspector Jim Reed tracked four bulls from the BSE herd in Canada that were shipped into South Dakota. He provided full traceback information within a matter of three hours using brand inspection records. To develop and implement an entirely new system of tracking livestock is not only wasteful but absolutely unnecessary in this region.

Animal identification should track group lots

Existing systems should be used to track group lots of cattle. This system is simple and effective. It won't interfere with commerce and will provide sufficient traceback information. To require unique identification numbers on each animal, and to track movement using those identifiers will most certainly impede commerce and provide for a much greater opportunity for human and mechanical error, thus defeating the purpose of the system.

Animal identification should be controlled locally

Additionally, because local agencies and companies currently operate identification programs such as the brand inspection program, they are able to monitor successes and failures and remain in constant contact with producers. Allowing local control of such programs will surely provide a far greater participation as well as success in implementation. There is no single identification method that will work for producers nation wide; therefore it is imperative that local producers be provided the opportunity to identify in ways that are feasible and affordable.

Clearly because of today's ease of livestock transportation, it is important that each state communicate with one another to ensure that animals can be tracked from state to state. If they are not already doing so, state animal health agencies as well as any other entity managing an identification program should be required to maintain proper communication, to allow for back and forth communication regarding interstate movement of livestock.

Animal identification should not be privatized on the national level

The South Dakota Stockgrowers Association adamantly opposes the privatization of a national animal identification system for several reasons.

- Many state legislatures, including South Dakota's, have enacted law specifically requiring their state animal health agencies to handle any new animal identification programs implemented for health purposes. To privatize such a system by handing over authority to an industry association will conflict with these laws already on the books.
- A private organization might discriminate against individuals or even groups based on political differences, production standards or a host of other reasons.
- Allowing a national private organization to manage one all-encompassing system does not allow state animal health agencies to carry out their duties of prevention and management of disease.
- Local control will be necessary to implement a successful tracking system. A national private organization will not allow for local control.

Animal identification is for disease tracking purposes only

While USDA has said that national animal identification is for animal health purposes only, it has been promoted numerous times as a "marketing tool" for producers. USDA does not have authority or approval for getting involved in marketing methods of producers.

In the past, USDA/APHIS has developed a good track record of preventing foreign animal diseases from entering the United States. Unfortunately, it seems now the emphasis has changed from disease prevention to disease management. By going this route, one can only assume that with an ID system in place the next step is to allow our high animal health standards to be lowered for the importation of live cattle and beef from countries with health problems including BSE. The industry adamantly opposes importation of infected or potentially infected cattle, regardless of the claimed traceback abilities of a national identification system.

It seems that animal identification is being promoted not only as a means of allowing for additional imports, but for reaching export agreements with foreign countries as well. It is not the purpose of a disease traceback system to affect marketing agreements. If it is truly disease traceback that is needed for the health of the U.S. cattle herd, USDA must focus on that rather than integrating importing and exporting opportunities.

Closing comments

As noted the South Dakota Stockgrowers Association, through our brand inspection program, has had a great deal of success of providing ownership verification as well as animal traceback for our industry. In cattle country we say, "If it's not broke, don't fix it." No need to re-invent the wheel; rather continue the method of state animal health authorities, and tribal governments working in partnership with the federal health authorities to carry out disease management and animal tracking. USDA's intention of privatizing a system demonstrates a lack of confidence for these animal health officials. Only these publicly accountable officials should be involved in facilitating communication between states to provide traceback nationwide. This is a matter of national security that concerns the human health and welfare of livestock and the American people, and therefore should not be handled by a single private identity.

On behalf of South Dakota cattle producers we urge USDA to rescind their recent announcement. The industry does not support a privately managed system. We have numerous questions regarding the USDA's recent change of direction on animal ID.

Who will carry out the enforcement of a private ran animal I.D. system? The concept of a mandatory tag or electronic chip isn't popular with many producers. Because of the diverse conditions of ranches across the country, it is not logical or feasible to require the same type of identification from each one. USDA may be familiar with certain types of cattle operations that have easy access to corrals and other equipment to handle cattle frequently. It must be mentioned, however, that in Western South Dakota, one cow/calf pair requires anywhere from 20 to 50 acres each year. You can imagine the expanse of property a rancher with 500 or 1,000 head of cattle needs, as well as the time, labor and expense needed to gather cattle.

Having a private company attempting to enforce animal identification nationwide will be even more problematic and will create unrest and will be met with strong resistance.

How would NCBA's proposal meet or support widely differing existing state and federal official animal ID and health requirements? The South Dakota Stockgrowers Association has been working with the state Animal Industry Board and the state Brand Board for years and we have an excellent system in place. Will this be abolished or will NCBA take over the management of said system and if so how do you plan to do that?

The Western half of South Dakota requires brand inspection, the Eastern side does not. However, we have a system that addresses both sides. How does USDA's privatized plan envision folks that chose not to participate in a private system? Will they be fined or penalized?

Thanks for this opportunity to ask questions and mention concerns regarding the privatization of animal identification. On behalf of the South Dakota Stockgrowers Association, we ask that USDA reconsider the commitment to privatize national animal identification.

Sincerely,

Rick Fox
President
605-342-0429